

CALIFORNIA STATE PERSONNEL BOARD MEETING  
801 Capitol Mall  
Sacramento, California

Public Session Location - Room 150  
Closed Session Location - Room 141

FULL BOARD MEETING MINUTES\*\*

JANUARY 7, 2003

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

1. ROLL CALL

BOARD MEMBERS PRESENT:

William Elkins, President  
Ron Alvarado, Vice President  
Florence Bos, Member  
Sean Harrigan, Member

2. REPORT OF THE EXECUTIVE OFFICER - Walter Vaughn

The Board was advised of the following:

- A. The Governor's budget will be presented January 10, 2003, and is expected to contain an additional 15 percent reduction in the State Personnel Board's budget.
- B. The Department of Finance has approved a freeze exemption for the Board's vacant Legislative Coordinator and Staff Counsel positions.

3. REPORT OF THE CHIEF COUNSEL - Elise Rose

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\*\*The State Personnel Board Summary Minutes can be obtained at the following Internet address:  
<http://www.spb.ca.gov/spbmeet/spbminrd.cfm>

The Chief Counsel reported on:

Litigation:

- A. Department of the Youth Authority v. State Personnel Board (Henderson) - In a partially published decision, the Court of Appeal, Third Appellate District, has upheld the Board's decision in this case. In so doing, the court found that section 11425.50 of the Administrative Procedures Act applies to the Board and that the court will give great weight to an Administrative Law Judge's (ALJ) credibility determinations only to the extent that the ALJ identifies the observed demeanor, manner or attitude of the witnesses in his or her decision.
- B. Salazar v. State Personnel Board - On December 26, 2002, a superior court granted a petition for writ of mandate in this case. The Board had adopted an ALJ decision granting a department's motion to dismiss the appeal on grounds that the appellant had failed to appear at the hearing. The court found sufficient evidence that the appellant may have been surprised by withdrawal of his California State Employees Association (CSEA) counsel and may have believed he was told he did not have to appear and, on these grounds, the court overturned the dismissal of the appeal and ordered a hearing.
- C. Connerly v. State Personnel Board., et al. - The superior court issued a ruling on Connerly's Motion for Attorney's fees, awarding a joint award of \$488,067.64 out of the claimed \$808,703.20 based on application of the private attorney's general theory. The court opined that each of the respondents and the real parties in interest should bear an equal share.
- D. International Union of Operating Engineers v. State of California (Lunsford) - Judge Ohanesian granted the Department of Personnel Administration's challenge to her hearing the case and the case has been reassigned to Judge Connelly. A date for the hearing is still undecided.
- E. Engel v. Meith, et al. - A Motion to Dismiss and Motion for Injunction against Plaintiff as a Vexatious

Litigant has been filed on behalf of the State Personnel Board and the named Board employees, as well as on behalf of the other named defendants, in response to this plaintiff's most recent complaint.

- F. Alameida v. State Personnel Board (Kill) - Kern County superior court has denied the Petition for Writ of Mandate filed by the Department of Corrections challenging the Board's decision revoking the dismissal of Kill. The Department had dismissed Kill based on allegations that she provided non-State food items to inmates and brought alcoholic beverages to the inmates that were consumed by inmate workers. The Board found that there was no substantial evidence to support the charges, rejecting the ALJ's determination that the inmate witnesses were credible.
- G. International Union of Operating Engineers v. State of California (State Personnel Board) - The Public Employment Relations Board (PERB) is moving forward to set this case for hearing. A dispute is now pending between parties as to the scope of the hearing.
- H. California State Employees Association (CSEA)/King/Repp v. California Department of Corrections (State Personnel Board) - In this new action, CSEA argues that the one-year statute of limitations set forth in the Peace Officers Procedural Bill of Rights applies to all Corrections' employees. A hearing on the merits is scheduled for March 2003.

Other:

- A. Chief Counsel Elise Rose has been invited to speak at the Sacramento County Bar's Labor and Employment Law Section in March 2003.
- B. The Department of Finance has approved a freeze exemption for the Board's vacant Staff Counsel position. The job bulletin has already been released.

4. REPORT ON LEGISLATION

No report was given

5. PERS UPDATE - Sean Harrigan

The Board was advised of the following:

- A. HMO rate increases for the year 2003 are expected to be approximately 25 percent.
- B. Peter H. Mixon has been selected as General Counsel for the Public Employees Retirement System.
- C. Work continues on the Public Employees Retirement System's strategic plan for health benefits. The plan is expected to be ready for adoption in February or March 2003.

6. HEARING - EEO REGULATIONS

Proposed revisions to state and local agency merit systems equal employment opportunity regulations.

Persons Participating:

Ted Edwards, Staff, California State Personnel Board  
Alex Garza, California State Employees Association  
Al Rojas, California State Employees Association  
Robin Corralejo, Chairperson, California Civil Rights  
Officers Council

ACTION: Submitted

7. HEARING - LAYOFF RULES

Proposed amendments and adoption of regulations relating to layoff: Title 2, California Code of Regulations (2CCR), §§ 470, 470.1, 471, 471.1 and 472, Local Agency Personnel Standards §§ 17502 and 17520.

Persons Participating:

Carol Ong, Staff, California State Personnel Board  
Alex Garza, California State Employees Association  
Al Rojas, California State Employees Association  
Robyn Sherles, California State Employees Association  
Mike Roskey, California State Employees Association  
Francisca Pass, California State Employees Association  
John Lang, California State Employees Association  
Van Evans, California State Employees Association

Roxanne Baird, State Employee  
Paul Coke, State Employee

Kathleen O'Connor, California State Employees Association  
Nadie Savage, California State Employees Association

ACTION: Submitted

8. ORAL ARGUMENT

Oral argument in the matter of KIM HONG, CASE NO. 01-3587P.  
Appeal from transfer. Department of Corrections.

Persons Participating:

Kim Hong, Pro Per

ACTION: Submitted

BOARD ACTIONS

9. STATE PERSONNEL BOARD SUMMARY MINUTES OF DECEMBER 17, 2002

ACTION: Adopted on January 7, 2003.

VOTE: Elkins, Alvarado, Bos, Harrigan - Aye.

10. ACTION ON SUBMITTED ITEMS

ACTION: See pages 16-18.

11. ADMINISTRATIVE LAW JUDGE CASES

On January 7, 2003, the Board adopted the following decisions  
presented by Elise Rose, Chief Counsel, California State  
Personnel Board.

VOTE: Elkins, Alvarado, Bos, Harrigan - Aye.

CHIEF COUNSEL RESOLUTIONS

MICHAEL KHOUNANI, CASE NO'S 01-3570 & 02-2031  
Appeal from official reprimand and appeal from dismissal  
Associate Information Systems Analyst  
Department of Pesticide Regulation  
ACTION: Stipulation for settlement approved

RICHARD A. KALEY, CASE NO. 00-1452B  
Appeal from backpay

Correctional Officer  
Department of Corrections  
Action: Request for order to show cause denied

PROPOSED DECISIONS

CONNIE ARMSTEAD, CASE NO. 00-4241  
Appeal from constructive medical  
termination and/or suspension  
Office Assistant (Typing)  
Department of California Highway Patrol  
ACTION: Administrative Law Judge's proposed decision  
rejected by Board. Board to decide case itself

SHARON ARTLIP, CASE NO. 02-4166E  
Appeal from denial of complaint of  
discrimination/retaliation  
Chief Engineer I, (Correctional Facility,)  
Blythe - State Prison,  
Department of Corrections  
ACTION: Administrative Law Judge's proposed decision  
rejected by Board and remanded to Administrative Law Judge

KENNETH BARRON, CASE NO. 02-2674  
Appeals from an official reprimand  
Correctional Officer  
Susanville - State Prison  
Department of Corrections  
ACTION: Official reprimand sustained

JANICE BROWN, CASE NO. 02-1607  
Appeal from dismissal  
Business Taxes Representative  
Board of Equalization  
ACTION: Dismissal modified to permanent demotion

CLETUS CURAH, CASE NO. 02-1901  
Appeal from 85-working days suspension  
Transportation Engineer (Civil)  
Department of Transportation  
ACTION: 85-working days suspension modified to a 45  
calendar day suspension

STEVEN CURUTCHAGUE, CASE NO. 01-1163E

Appeal from discrimination complaint  
in the examination

Associate Real Estate Officer  
Department of General Services

ACTION: Discrimination complaint regarding examination  
dismissed

CARLOS DIAZ, CASE NO. 02-1999

Appeal from five-percent reduction  
in salary for six months

Caltrans Heavy Equipment Mechanic  
Department of Transportation

ACTION: Five-percent reduction in salary for six months  
modified to formal letter of reprimand

BERLINDA GREEN, CASE NO. 02-1896

Appeal from dismissal

Motor Vehicle Field Representative  
Department of Motor Vehicle

ACTION: Dismissal sustained

GLEN JONES, CASE NO. 02-2179

Appeal from termination with fault  
from limited term appointment

Board Coordinating Parole Agent  
Board of Prison Terms

ACTION: Appeal from termination with fault from limited  
term appointment dismissed

PAMELA SMALLS, CASE NO. 02-2437

Appeal from ten-percent reduction  
in salary for 12 months

Correctional Sergeant  
Blythe - State Prison

Department of Corrections

ACTION: 10% reduction in salary for 12 months modified to  
5% reduction in salary for six months

ROBERT TENHET, CASE NO. 02-1952

Appeal from dismissal

Psychiatric Technician Assistant  
Porterville - Development Services  
Department of Developmental Services

ACTION: Dismissal revoked

PETITIONS FOR REHEARING

ADAM LOVE, CASE NO. 02-0334  
Appeal from ten percent reduction in  
salary for six months  
Office Technician (Typing)  
Fairview Developmental Center  
Department of Developmental Services  
ACTION: Petition for rehearing filed by respondent denied

ADAM LOVE, CASE NO. 02-2026  
Appeal from ten percent reduction in salary  
for twelve months  
Office Technician (Typing)  
Fairview Developmental Center  
Department of Developmental Services  
ACTION: Petition for rehearing filed by respondent denied

RICHARD LOWRY, CASE NO. 01-1548  
Appeal from rejection during  
probationary period  
Transportation Engineer (Civil)  
Department of Transportation  
ACTION: Petition for rehearing filed by appellant denied

LEE MONTOYA, CASE NO. 02-0575  
Appeal from dismissal  
Fish and Game Warden  
Department of Fish and Game  
ACTION: Petition for rehearing filed by appellant denied

RAYMOND SADOWSKI, CASE NO. 01-3106  
Appeal from demotion and transfer  
from the position of Supervisor of  
Correctional Education Programs  
Salinas Valley - State Prison  
Department of Corrections  
ACTION: Petition for rehearing filed by respondent denied

RICHARD SINCLAIR, CASE NO. 01-3902  
Appeal from 60 calendar days suspension  
Correctional Plant Supervisor  
Tehachapi - California Correctional Institution  
Department of Corrections  
ACTION: Petition for rehearing filed by appellant granted



DEBORAH WHITE-SANBORN, CASE NO. 02-1155  
Appeal from dismissal  
Senior Special Investigator  
Porterville - Developmental Center  
Department of Developmental Services  
Petition for rehearing filed by respondent  
ACTION: Submitted

12. RESOLUTION RE NOTICE OF GOVERNMENT CODE SECTION 18671.1  
EXTENSION.

ACTION: See pages 19-22.

13. WITHHOLD APPEALS

On January 7, 2003, the Board adopted the following decisions  
presented by Laura Aguilera, Assistant Executive Officer,  
California State Personnel Board.

VOTE: Elkins, Alvarado, Bos, Harrigan - Aye.

TYRONE BARNES, CASE NO. 02-0964  
Classification: Youth Correctional Officer  
California Youth Authority  
ACTION: DENIED

MARVIN BOYCE, CASE NO. 02-1501  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

PATRICK CARPENTER, CASE NO. 02-1525  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

MAX CARTER, CASE NO. 02-1467  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

KRISTA DAWSON, CASE NO. 02-0689  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

ROBERT EMRICH II, CASE NO. 02-1031  
Classification: Youth Correctional Officer  
California Youth Authority  
ACTION: DENIED

ROBERT GARCIA, CASE NO. 02-1385  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

DAMON LEARDINI, CASE NO. 02-1537  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

RAOUL LEYVA, CASE NO. 02-1956  
Classification: Youth Correctional Officer  
California Youth Authority  
ACTION: DENIED

JUAN MANZANO, CASE NO. 02-0745  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

DEREK MARKS, CASE NO. 02-1744  
Classification: Cadet, CHP  
California Highway Patrol  
ACTION: DENIED

JUAN MARTINEZ, CASE NO. 02-0561  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

MARGARET MORDENTE, CASE NO. 02-2071  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

JENNIFER PATTEN, CASE NO. 02-0746  
Classification: Youth Correctional Counselor  
California Youth Authority  
ACTION: DENIED

KEVIN PHILLIPS, CASE NO. 02-1743  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

DAVID RAMOS, CASE NO. 02-0570  
Classification: Youth Correctional Officer  
California Youth Authority  
ACTION: DENIED

ALFONSO RIVERA, CASE NO. 02-1196  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: GRANTED

SARBJIT SINGH, CASE NO. 02-2138  
Classification: Motor Vehicle Field Representative  
Department of Motor Vehicles  
ACTION: GRANTED

JAMES SORENSEN, CASE NO. 02-1597  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

KIMBERLY TEESE, CASE NO. 02-0591  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

JASON TUGMON, CASE NO. 02-1171  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

LETICIA VEGA, CASE NO. 02-2147  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

KEVIN WASHINGTON, CASE NO. 02-1423  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

GARY WILSON, CASE NO. 02-2146  
Classification: Correctional Officer  
California Department of Corrections  
ACTION: DENIED

14. MEDICAL APPEALS

On January 7, 2003, the Board adopted the following decisions presented by Laura Aguilera, Assistant Executive Officer, California State Personnel Board.

VOTE: Elkins, Alvarado, Bos, Harrigan - Aye.

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BARBARA ARAIZA, CASE NO. 02-3326  
Classification: Correctional Officer  
Department of Corrections  
ACTION: GRANTED

DONNA BARE, CASE NO. 02-3404  
Classification: Psychiatric Technician  
Department of Mental Health  
ACTION: DISMISSED

OSCAR GONZALEZ, CASE NO. 02-1733  
Classification: Correctional Officer  
Department of Corrections  
ACTION: GRANTED

WILLIAM MURPHY, CASE NO. 02-1665  
Classification: Cadet, CHP  
California Highway Patrol  
ACTION: DENIED

ROBERT NAKAYAMA, CASE NO. 02-2740  
Classification: Correctional Officer  
Department of Corrections  
ACTION: GRANTED

SCOTT NELSON, CASE NO. 02-0864  
Classification: Cadet, CHP  
California Highway Patrol  
ACTION: DENIED

15. REQUEST TO FILE CHARGES CASES  
PETITIONS FOR REHEARING CASES  
On January 7, 2003, the Board adopted the following decisions  
presented by Laura Aguilera, Assistant Executive Officer,  
California State Personnel Board.  
VOTE: Elkins, Alvarado, Bos, Harrigan - Aye.

(Request to File Charges)

WILLIAM HORSPOOL, CASE NO. 02-1234  
Classification: Correctional Officer  
Department of Corrections  
ACTION: DENIED

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ALAZAR TESHAMARIAM, CASE NO. 02-0596  
Classification: Disability Insurance  
Program Representative  
Employment Development Department  
ACTION: DENIED

(Petition for Rehearing Case - Group Appeal)

MARIO BATES, CASE NO. 00-2460P  
Classification: Correctional Officer  
ARTURO CORDOVA, CASE NO. 00-2378P  
Classification: Correctional Sergeant  
MARCO GUILIN, CASE NO. 00-2504P  
Classification: Correctional Sergeant  
KEVIN HETHCOAT, CASE NO. 00-2322P  
Classification: Correctional Sergeant  
GLENN MICHELMORE, CASE NO. 00-3411P  
Classification: Correctional Sergeant  
JAIME SHAW, CASE NO. 00-2381P  
Classification: Correctional Sergeant  
Department of Corrections  
ACTION: DENIED

16. NON-HEARING CALENDAR

On January 7, 2003, the Board adopted items A & B. These items were presented by Karen Coffee, Chief, Merit Employment and Technical Resources Division, California State Personnel Board.

VOTE: Elkins, Alvarado, Bos, Harrigan - Aye.

A. EQUITY RESOLUTION

Equity resolution to allow Rito Gomez to remain in the classification of Employment Program Representative

B. EQUITY RESOLUTION

Equity resolution to allow Reginald A. Honore to be appointed to the class of Hospital Peace Officer.

17. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

A. REQUESTS TO ESTABLISH NEW CEA POSITIONS CURRENTLY UNDER CONSIDERATION

- (1) EXECUTIVE OFFICER, EDUCATION AUDITS APPEAL PANEL  
The Department of Finance on behalf of the Education Audits Appeals Panel proposes to

allocate the above position to the CEA category. The Executive Officer will be responsible for assisting the Education Audits Appeal Panel to establish policy regarding questionable audit findings from local school districts and county offices of education.

(2) CLINICAL ADMINISTRATOR, SECURE TREATMENT FACILITY, COALINGA

The Department of Mental Health proposes to allocate the above position to the CEA category. The Clinical Administrator is responsible for establishing clinical programming policies and procedures for implementation of the construction phase, activation and on-going management of the new Secure Treatment Facility in Coalinga.

(3) The Department of Education proposes to allocate the above position to the CEA category. The Director, State Monitored Schools is responsible for establishing policies regarding state monitoring of individual schools determined to be under performing as described in the state Public Schools Accountability Act and incorporating recent federal legislation titled No Child Left Behind.

(4) ASSISTANT DIRECTOR/CHIEF INFORMATION OFFICER, INFORMATION TECHNOLOGY OFFICE

The Department of Youth Authority proposes to allocate the above position to the CEA category. The Assistant Director/Chief Information Officer is responsible for establishing and overseeing all technology program policies regarding the infrastructure, processes, systems and data of the California Youth Authority.

(5) DEPUTY DIRECTOR, HIGH SPEED RAIL AUTHORITY

The Department of California Highway Patrol proposes to allocate the above position to the CEA category. The Deputy Director is the technical advisor to the High Speed Rail Authority regarding the development of a of a twenty billion dollar High Speed Rail System.

B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO  
ESTABLISH NEW CEA POSITIONS

- (1) DISTRICT 3, DEPUTY DIRECTOR, PLANNING & LOCAL  
ASSISTANCE PROGRAMS  
The Department of Transportation' request to  
allocate the above position to the CEA category  
has been approved effective December 9, 2002.
- (2) DEPUTY DIVISION DIRECTOR, OFFICE OF RATEPAYER  
ADVOCATES  
The Public Utilities Commission's request to  
allocate the above  
position to the CEA category has been approved  
effective November 27, 2002.
- (3) ASSISTANT SECRETARY, YOUTH CAREER DEVELOPMENT  
The Department of Industrial Relations request on  
behalf of the Labor and Workforce Agency to  
allocate the above position to the CEA category  
had been approved for a three year period  
effective December 6, 2002.

ACTION: Noted

A D J O U R N M E N T

SUBMITTED

1. EXPEDITED HEARINGS - PROPOSED AMENDMENT TO STATE PERSONNEL BOARD RULE 52.4. (Hearing held May 7, 2002).

NO ACTION

2. ANSWER ON APPEALS FILED WITH STATE PERSONNEL BOARD. PROPOSED AMENDMENT TO STATE PERSONNEL BOARD RULE 63. (Hearing held May 7, 2002).

NO ACTION

3. Status of the State's Decentralized Testing. (Hearing held July 9, 2002).

NO ACTION

4. MERIT RULE - Proposed adoption of the new Section 250 to the California Code of Regulations (CCR) entitled Requirement that Selection be Based on Merit and Fitness. (Hearing held July 23, 2002).

NO ACTION

5. BRIAN JONES, CASE NO'S 99-3883 & 00-4930. Appeal from dismissal. State Fair Exposition. (Oral argument held October 8, 2002).

NO ACTION

6. ROMONDO SIZEMORE, CASE NO. 00-0418B. Appeal from backpay. Department of Corrections. (Oral argument held October 8, 2002).

ACTION: On January 7, 2003, adopted Board decision ordering back pay, benefits, and interest.

VOTE: Elkins, Alvarado, Bos, Harrigan - Aye.



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7. MERIT SELECTION MANUAL. (Hearing held November 6, 2002).

NO ACTION

8. PATRICIA SABATO-JONES, CASE NO. 01-3789. Appeal from dismissal. Unemployment Insurance Board. (Oral argument held November 6, 2002).

NO ACTION

9. TEACHER STATE HOSPITAL(SEVERLY), ETC. Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002).

NO ACTION

10. VOCATIONAL INSTRUCTOR (SAFETY) (VARIOUS SPECIALTIES). Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002).

NO ACTION

11. LEONARD GRILL, CASE NO. 02-1166. Appeal from ten percent reduction in salary for nine pay periods. Department of Forestry and Fire Protection. (Oral argument held December 3, 2002).

NO ACTION

12. RUFUS LINDSEY, CASE NO. 01-3651. Appeal from dismissal. Department of Corrections. (Oral argument held December 4, 2002).

NO ACTION

13. VICTORIA MCCOY, CASE NO. 01-3372. Appeal from dismissal. Department of Corrections. (Oral argument held December 4, 2002).

NO ACTION

14. DAVID NUNEZ, CASE NO. 98-3145. Appeal from five percent reduction in salary for six months. Department of Corrections. (Oral argument held December 4, 2002).

NO ACTION

**NOTICE OF GOVERNMENT CODE § 18671.1 RESOLUTION**

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

**GOVERNMENT CODE § 18671.1 RESOLUTION**

**WHEREAS**, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

**WHEREAS**, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

**WHEREAS**, the Agenda for the instant Board meeting included an item titled "Notice of Government Code § 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

**WHEREAS**, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

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I hereby certify that the State Personnel Board made and adopted the preceding resolution at its meeting on January 7, 2003

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WALTER VAUGHN  
Executive Officer  
California State Personnel Board

VOTE: Elkins, Alvarado, Bos, Harrigan - Aye.